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ABSTRACT

This short report--part of a collection of 54 papers from the 48th annual conference of the Education Law Association held in November 2000--discusses implementation of inclusion policy. Specifically, it reports on a study of administrative strategies and organizational processes that promote policy implementation and achievement of the objectives of the Education of the Handicapped Act and the Individuals with Disabilities Education Act. The study drew on the literature regarding leadership and policy implementation, and a survey of 153 regular and special education teachers in 60 school districts in 2 Midwestern states. Following are some of the findings from the research: (1) A large proportion of the administrative strategies studied were rated as either very or extremely important in promoting regular classroom inclusion. (2) A relatively small proportion of the strategies were actually implemented. (3) Most of the strategies perceived as important involved changes in administrative behavior or processes rather than a commitment of financial resources. (4) Rather than focusing on the highly individualized nature of service provision associated with ensuring an education to all students, effective administrators sought to link the satisfaction of individual needs to broader organizational goals and processes for achieving them. (Contains 36 references.) (WFA)

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It's Not the Law—It's the Implementation That Matters.

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It's Not the Law– It's the Implementation that Matters

What 150 Front-Line Implementers Can Teach Lawyers, Legislators and School Leaders about Effective Strategies for Promoting School Inclusion

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Introduction

While legislators and lawyers are often engrossed in public policies and their intended outcomes, school leaders and the supposed beneficiaries of educational policies are acutely aware that policies are not self-implementing, and that even if implemented, they may or may not have the consequences policy makers intended. Although Education Law Association presentations often provide an analyses of the current state of the law, or a systematic review of cases suggesting a breakdown in compliance, we though it might be beneficial to provide a glimpse into the world of what works. Consequently, we invite you to explore along with us administrative strategies and organizational processes which promote policy implementation and the achievement of one of the most elusive national educational policy objectives ever enacted: the least restrictive environment mandate found in the Education of All Handicapped Children Act of 1975 and today's Individuals with Disabilities Education Act. What can lawyers, legislators, and school leaders, as well as members of the Academy learn from 150 teachers and principals on the front lines of LRE policy implementation? That is the question we propose to explore.

The LRE Mandate

Since the mid 1970s, national policy has mandated that students with disabilities be afforded a free and appropriate public education and that they be educated to the maximum extent appropriate with their non-disabled peers. The federal policy further stipulates that children may be removed from the regular educational environment "only when the nature or severity of the handicap is such that education in regular classes with the use of supplemental aids and services cannot be satisfactorily achieved" [30 USC 1412(5)(B)]. Yet, more than a quarter of a century later, the proportion of students with disabilities served in other than the regular classroom setting continues to be substantial. Of all children with disabilities, only 46 percent spend four-fifths of their time or more in a general education classroom. And while the LRE for any given student with a disability may not necessarily be the regular education classroom (Thomas & Rapport, 1999), the proportion served near full-time in the general education classroom varies dramatically from state to state, from a high of over 70 percent of all students with disabilities in five states to less than 30 percent of the students in five other states (Annual Reports to Congress on the Implementation of IDEA,2000 & McLeskey & Henry, 1999). Even among districts sharing a common state policy context, the proportion of students served in general classroom settings varies appreciably (State Educational Management Information System, 1998). These variations suggests, as students of policy sciences have long recognized, that national policy outcomes are largely a function of the manner in which a given policy is actually implemented at the lowest organizational level, in this instance at the local school district, school site and classroom level (Berman, 1978; Elmore, 1979-80; Pressman & Wildasky, 1973; and Weatherly & Lipsky, 1977). In short, implementation matters.

Implementation Matters

Policy research suggests that divergent policy outcomes may be largely attributable to differences in the manner in which the same policy is implemented in different organizational settings. In the estimates of some, differences in implementation regimes may explain as much as 80 percent of the variation in outcomes observed with respect to various types of policies. And while implementation decisions are not the sole prerogative of administrators, the education literature reminds us of the important role administrators can and must play if educational reform measures are to be successfully implemented (Berman & McLaughlin, 1987; Cuban, 1988, Fullan, 1991; Sage & Burrello, 1994). The educational literature is also equally clear that school administrators have

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not played a particularly active, or at least uniformly effective role in integrating regular and special education generally (Goodlad & Lovitt, 1993) or in promoting the adoption and implementation of inclusionary policies and practices at the school district and school site level in particular (e.g., Fisher, Sax and Grove, 2000; Richardson & Others, 1994; Sirotnik & Kimball, 1994; ; and Woley & Others, 1995). Some limited research and case study accounts are beginning to emerge, however, suggesting some of the types of strategies that local leaders might effectively employ to promote inclusion in their schools (e.g., Baines & Masterson, 1994; Van Dyke, Stallings & Colley, 1995; and Wisniewski & Alper, 1994). Other promising strategies can be gleaned from the broader social science literature on social program implementation (e.g., Bardach, 1977; Berman, 1978; Elmore, 1986; Mazmanian and Sabatier, 1989; McLaughlin, 1987; Pressman and Wildasky, 1973; Van Horn and Van meter, and Weatherly and Lipsky, 1977), as well as from the general literature on organizational leadership (e.g., Kouzes & Posner, 1987; Peters & Waterman, 1982; Sergiovnni, 1994, 1999; and Wheatley, 1992).

The Study Questions

Drawing on this literature regarding leadership and effective policy implementation strategies, we surveyed 153 regular and special education teachers and building level administrators on the front lines of LRE or inclusion policy implementation in 60 school districts spanning two mid-western states. We explored several questions:

1. How important are five constellations of organizational measures and each of some 40+ distinct administrative strategies in promoting the adoption and successful implementation of inclusion initiatives in local school settings?

2. To what extent are each of the administrative strategies identified as important by teachers and administrators actually being implemented in their school settings? and,

3. What relationships appear to exist between relative progress in achieving regular classroom placements for children with disabilities and certain organizational and leadership characteristics suggested in the literature as important variables affecting the adoption of policies and the implementation of innovations in complex social organizations such as schools? In particular, how do local leadership and the administrative strategies employed appear to affect a school's inclusion status?

Critical Lessons from the Front-Lines Where Inclusion is Implemented

We limit our conclusions to several general observations which we think have particular relevance for school leaders charged with providing leadership in creating and sustaining inclusive schools, as well as for lawyers and legislators interested in promoting compliance and attaining higher levels of regular classroom placements for children with disabilities. The general lessons we have gleaned from this research, include:

1. Front-line implementers assign substantial importance to each of five major constellations of organizational measures (e.g., ones focusing on policy & process, program features, personnel development and deployment, resource marshaling and allocation, and organizational rewards and incentive systems) suggesting the importance of a multifaceted approach to promote effective inclusion.

2. A large proportion of the 42 distinct administrative strategies studied were rated as either very or extremely important in promoting regular classroom inclusion. This suggests not only that a variety of strategies available to administrators to promote inclusion, but that the implementation of an appreciable number may be necessary to achieve effective inclusion. Administrators and teachers tended to express a surprising level of agreement about the importance of a wide range of strategies.

3. A relatively small proportion of the strategies, including those characterized as very or even extremely important by front line implementers, were actually implemented in an appreciable number of schools where the respondents worked.

4. Perceptions of whether various strategies were implemented in school settings varied significantly and dramatically depending on the role group to which the respondents belonged. Administrators were more likely to report a strategy as implemented than were either special or regular education teachers. This pattern persisted for 40 of the 42 strategies evaluated.

5. Whether or not administrative strategies were implemented had a bearing on the inclusion status of the buildings studied and at which of four points on an Inclusion Continuum they fell.

6. The implementation of certain administrative strategies tended to be significantly associated with schools that were characterized as having achieved higher levels of regular classroom inclusion than other schools. The implementation of 20 strategies tended to be associated with high inclusion sites at a statistically significant level. These strategies are ones that highly recommend themselves to school leaders, lawyers and legislators interested in moving schools along the continuum of inclusiveness from Mainstreaming to Partial Inclusion to LRE and ultimately, perhaps, to Full Inclusion status.

7. Most of the strategies that were perceived as important, and which were associated with higher levels of actual inclusion in school settings, were ones that involved changes in administrative behavior or processes, rather than the commitment of substantial levels of new fiscal resources.

8. Strategies differentially implemented in schools characterized as LRE or Full Inclusion included, for instance: articulating a clear organizational vision; developing a common educational rationale for inclusion; and communicating clear expectations of shared staff responsibility for the education of all students.

9. Administrators in high inclusion schools were also reported to more regularly engage in assessment and problem solving-related activities, including visiting classrooms to observe and elicit staff feedback and in discussing inclusion progress and problems at regular staff meetings.

10. In terms of programmatic emphasis, these administrators were especially more likely to provide teachers guidance regarding student assessment practices; involve regular education staff in IEPs; and promote the incorporation of behavioral objectives in the student IEPs.

11. Finally, and especially significantly, rather than focusing on the highly individualized nature of service provision associated with ensuring a free and appropriate education to students with disabilities, effective administrators sough to link the satisfaction of these individual needs to broader organizational goals and processes for achieving them. Instead of managing dozens of individualized educational plans, they invoked organizational processes in fashioning building level implementation plans and regimes designed to overcome common barriers to successful inclusion and to coordinate the involvement of other stakeholders and front-line implementers in an on-going process of assessing building level progress and making adjustments as necessary to support staff in their efforts to educate students with disabilities in the least restrictive environment.

Conclusion

This research serves to underscore that implementation matters in our continuing pursuit of the elusive national policy goal of educating students with disabilities in the least restrictive environment. It also serves to identify some of the types of organizational measures and administrative strategies that tend to increase the probability that inclusion initiatives will be implemented, and that the implementation will lead to the outcomes intended. As such, the research has implication for legislators seeking to adopt more implementation-attentive policy regimes; to lawyers interested in crafting and advocating for more effective remedial plans; and to local leaders desiring both to achieve greater inclusion for its education advantages and to keep legislators and lawyers from imposing ever more stringent and coercive LRE policies. Finally, the research is a reminder to members of the Academy to review their preparation programs to ensure that the prospective leaders they turn out possess the knowledge, skills and values needed to translate new special education policies into local organizational practices. This may itself require reform in higher education programs, including not only new content and methods of instruction, but also new levels of inter-professional collaboration with teacher and special education faculty, changes not dissimilar to the types of changes being compelled in k-12 educational settings by the introduction of inclusion.

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